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SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISIONFILED-USDC-NDTX-DA
'25 APR 22 AM10:52
KMBUNITED STATES *ex rel.* DUSTIN
POOLE AND THOMAS STILLINGS,

Plaintiffs,

v.

MASTER EQUITY TEXAS
PARTNERSHIP d/b/a EMERGING
SOLUTIONS, AND MICHAEL
BINGHAM,

Defendants.

Civil Action No. 3:20-CV-02824-E

FILED IN SEALED CASEUNITED STATES OF AMERICA'S NOTICE OF INTERVENTION

1. Pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (4), the United States of America notifies the Court of its election to intervene in this civil action. The United States elects to intervene to assert claims against defendants Master Equity Solutions d/b/a Emerging Solutions, and Michael Bingham (collectively, Emerging Solutions), that Emerging Solutions violated the False Claims Act, 31 U.S.C. § 3729, *et seq.*, by causing the submission of false claims to Medicare by inducing healthcare providers to purchase and seek reimbursement for a percutaneous nerve stimulator. The United States intends to file a complaint in intervention, and requests that it be permitted to do so within ninety (90) days of the date of the Court's Order addressing this Notice.

2. The United States respectfully requests that only the Complaint, this Notice, and the attached proposed Order be unsealed and served upon the defendants. The United States asks that all other materials in this matter (including, but not limited to, any applications and accompanying memoranda filed by the United States for an extension of time in which to intervene or for any other reason) remain under seal and not be made public or served on the defendants at any time because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

3. A proposed order will be submitted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2025, a copy of the foregoing pleading and proposed order were mailed by first class mail to counsel for Relator:

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[PROPOSED] ORDER

The United States having intervened in this action pursuant to the False
Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the Court **ORDERS** that:

1. The Relator's Complaint, the United States' Notice of Intervention, and this
Order be unsealed;
2. The United States file its Complaint in Intervention within 90 days of this
Order;
3. All other papers or orders on file in this matter shall remain under seal; and
4. The seal be lifted on matters occurring in this action after the date of this
Order.

SO ORDERED.

Dated this ____ day of April, 2025.

ADA E. BROWN
UNITED STATES DISTRICT JUDGE